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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DOMINGUES ET AL
Serial No.: 10/771,859
Filed: FEBRUARY 3, 2004
For: FOOD PRODUCTS WITH
BIOCONTROL
PRESERVATION AND
METHOD

Examiner: Unknown
Group Art: 1761

Docket No.: PIL0009/US/2

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

I CERTIFY THAT ON JULY 1, 2004, THIS CORRESPONDENCE IS BEING
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JAMIE A. EBACH

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The documents listed on the enclosed Form PTO-1449 are presented pursuant to Applicant's duty of disclosure under 37 C.F.R. 1.56.

It is Applicant's understanding that for applications filed after June 30, 2003, the requirement under 37 C.F.R. § 1.98 (a)(2)(i), that a copy of each cited U.S. patents and/or U.S. patent applications be provided, has been waived. Thus, the application having been filed after June 30, 2003, only copies of the non-U.S. patent references and other documents (if any) are provided herewith. The Examiner is requested to indicate consideration of each reference by initialing in the appropriate box for each reference, and returning an initialed copy with the next Official Action.

This Information Disclosure Statement is filed pursuant to 37 C.F.R. § 1.56 to bring to the Examiner's attention those references which may be material to the Examiner for examination of this case. However, the citation of the above references in this Information Disclosure Statement is not intended to constitute an admission that any patent or other reference referred to herein is "prior art" for this invention. In this regard, Applicants expressly reserve the right to contest that any of the references constitute "prior art."

No fee is believed to be necessary for the consideration of this Information Disclosure Statement since it is being filed before the receipt of an Office Action on the merits. In case the papers cross in the mail, it is requested that consideration of this Information Disclosure

Statement be given under 37 C.F.R. § 1.97 (c)(2). If any fee is required, please charge our
Deposit Account No. 50-1775 and notify us of the same.

Respectfully Submitted,

Dated: July 1, 2004

By: 

Dale A. Bjorkman, Reg. No. 33,084



33072

PATENT TRADEMARK OFFICE

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DAB/JAE/13434

Form PTO-1449 U.S. Department of Commerce Patent & Trademark Office					Atty. Docket No. PIL0009/US/2		Serial No. 10/771,859				
<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; line-height: 100px; font-size: 24px; font-weight: bold;"> INFORMATION DISCLOSURE STATEMENT BY APPLICANT </div> <div style="position: absolute; top: 50%; left: 50%; transform: translate(-50%, -50%); font-size: 18px; font-weight: bold;"> JUL 06 2004 </div> </div>					Applicant DOMINGUES ET AL			Filing Date FEBRUARY 3, 2004		Group 1761	
					U.S. PATENT DOCUMENTS						

Examiner Initial	Document Number	Date MM/DD/YYYY	Name	Class	Subclass	Filing Date If Appropriate
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	4,597,976	07/01/1986	DOSTER ET AL	426	325	
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	6,022,568	02/08/2000	LESENS ET AL	426	61	

FOREIGN PATENT DOCUMENTS							
Inventor(s) Name	Document Number	Document Date DD.MM.YYYY	Country	Class	Subclass	Translation Yes/No	
LESENS ET AL	WO98/09535	12.03.1998	PCT	A23G	9/02	ABSTRACT ONLY	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
			"The Beneficial Role of Microorganisms in the Safety and Stability of Refrigerated Foods," Hanlin, et al., Chilled Foods, A Comprehensive Guide, 1992, pgs. 229-259.
			"Biological Competition as a Preserving Mechanism," Gombas, Journal of Food Safety 10, 1989, pgs 107-117.
			"Clostridium Botulinum and the Safety of Refrigerated Processed Foods of Extended Durability," Peck, Trends in Food Science & Technology, June 1997, Vol. 8, pgs. 186-192.
			"Factors to be Considered in Establishing Good Manufacturing Practices for the Production of Refrigerated Foods," Moberg et al., Dairy and Food Sanitation, June 1988, Vol. 8, No. 6, pgs. 288-291.
			"Inhibition of Botulinum Toxin Formation in Bacon by Acid Development," Tanaka et al., Journal of Food Protection, June 1980, Vol. 43, No. 6, pgs. 450-457.
			"Inhibition of Botulinum Toxin Production by Pediococcus Acidilactici in Temperature Abused Refrigerated Foods," Hutton et al., Journal of Food Safety 11, 1991, pgs. 255-267.
			"Plant Trials of Bacon Made with Lactic Acid Bacteria, Sucrose and Lowered Sodium Nitrite," Tanaka et al., Journal of Food Protection, August 1985, Vol. 48, No. 8, pgs. 679-686.
			"Role of Starter Culture Bacteria in Food Preservation," Gilliland, Bacterial Starter Cultures for Foods, CRC Press 1985, pgs. 173-185.
			"Sensory Characteristics of Reduced Nitrite Bacon Manufactured by the Wisconsin Process," Tanaka et al., Journal of Food Protection, August 1985, Vol. 48, No. 8, pgs. 687-692.
			"Studies on Growth and Toxin Production of Clostridium Botulinum in a Precooked Frozen Food," Saleh et al., Food Research, July-Aug. 1955, Vol. 20, No. 4, pgs. 339-350.
			"Using Lactic Acid Bacteria to Improve the Safety of Minimally Processed Fruits & Vegetables," Breidt et al., FoodTechnology, September 1997, Vol. 51, No. 9, pgs. 44-51.

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.